

#3

**REISSUE APPLICATION  
DECLARATION BY THE INVENTOR**

Docket Number

**212235US-2 REISSUE**

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original first and joint inventor (if plural names are listed below) of the subject matter which is described and claimed in the below identified patent:

Patent Number

**5,936,577**

Date Patent Issued

**AUGUST 10, 1999**

Title of Invention

**ADAPTIVE ANTENNA**

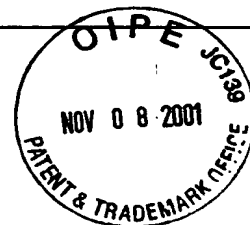
for which a reissue patent is sought on the invention entitled:

**ADAPTIVE ANTENNA**

the specification of which

☐ is attached hereto

☒ was filed on August 9, 2001 as reissue application number \_\_\_\_\_  
and (if applicable) was amended on \_\_\_\_\_



I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR 1.56.

We (I) hereby claim foreign priority benefits under 35 USC §119(a)-(d) or §365(b) of any foreign application(s) for patent or inventor's certificate, or §365(a) of any PCT International application which designated at least one country other than the United States, listed below and have also identified below any foreign application for patent or inventor's certificate, or PCT international application having a filing date before that of the application on which priority is claimed. Prior Foreign Application(s):

**Application No.**

**Country**

**Day/Month/Year**

**Priority  
Claimed**

8-276249

JAPAN

18/10/1996

YES

We (I) hereby claim the benefit under 35 USC §119(e) of any United States *provisional* application(s) listed below.

**Application Number**

**Filing Date**

We (I) hereby claim the benefit under 35 USC §120 of any United States application(s), or §365(c) of any PCT International application designating the United States, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT International application in the manner provided by the first paragraph of 35 USC §112, I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR §1.56 which became available between the filing date of the prior application and the national or PCT International filing date of this application.

**Application Serial No.**

**Filing Date**

**Status**

I verily believe the original patent to be wholly or partly inoperative or invalid, for the reasons described below.  
(Check all that apply)

☐ by reason of a defective specification or drawing.

☒ by reason of the patentee claiming more or less than he had the right to claim in the patent.

☒ by reason of other errors.

At least one error upon which reissue is based is described as follows:

**The failure to submit claims which did not use "means plus function" terminology and failure to submit method claims.**

All errors corrected in this reissue application arose without any deceptive intention on the part of the applicant.

Reissue Application Declaration by the Inventor (Continued)

As a named inventor, I hereby appoint the following attorney(s) and/or agent(s) to prosecute this application and transact all business in the Patent and Trademark Office connected herewith: Norman F. Oblon, Reg. No. 24,618; Marvin J. Spivak, Reg. No. 24,913; C. Irvin McClelland, Reg. No. 21,124; Gregory J. Maier, Reg. No. 25,599; Arthur I. Neustadt, Reg. No. 24,854; Richard D. Kelly, Reg. No. 27,757; James D. Hamilton, Reg. No. 28,421; Eckhard H. Kuesters, Reg. No. 28,870; Robert T. Pous, Reg. No. 29,099; Charles L. Gholz, Reg. No. 26,395; William E. Beaumont, Reg. No. 30,996; Jean-Paul Lavalleye, Reg. No. 31,451; Stephen G. Baxter, Reg. No. 32,884; Richard L. Treanor, Reg. No. 36,379; Steven P. Weihrouch, Reg. No. 32,829; John T. Goolkasian, Reg. No. 26,142; Richard L. Chinn, Reg. No. 34,305; Steven E. Lipman, Reg. No. 30,011; Carl E. Schlier, Reg. No. 34,426; James J. Kulbaski, Reg. No. 34,648; Richard A. Neifeld, Reg. No. 35,299; J. Derek Mason, Reg. No. 35,270; Surinder Sachar, Reg. No. 34,423; Jeffrey B. McIntyre, Reg. No. 36,867; Bradley D. Lytle, Reg. No. 40,073; Michael R. Casey, Reg. No. 40,294; William T. Enos, Reg. No. 33,128 and Michael E. McCabe, Jr., Reg. No. 37,182.

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Telephone: (703) 413-3000

Facsimile: (703) 413-2220

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine and imprisonment, or both, under 18 U.S.C. 1001, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this declaration is directed.

Full Name of sole or first inventor (given name, family name)

**HIROKI SHOKI**

Signature <i>Hiroki Shoki</i>	Date <i>18, Sep. 2001</i>
Residence <b>KAWASAKI-SHI, JAPAN</b>	Citizenship <b>JAPAN</b>
Post Office Address <b>c/o Intellectual Property Division, TOSHIBA CORPORATION, 1-1, Shibaura 1-chome, Minato-ku, Tokyo, Japan</b>	

Full Name of second joint inventor (given name, family name)

**MANABU MUKAI**

Signature <i>Manabu Mukai</i>	Date <i>Sep. 18, 2001</i>
Residence <b>KAWASAKI-SHI, JAPAN</b>	Citizenship <b>JAPAN</b>
Post Office Address <b>c/o Intellectual Property Division, TOSHIBA CORPORATION, 1-1, Shibaura 1-chome, Minato-ku, Tokyo, Japan</b>	

Full Name of third joint inventor (given name, family name)

**TOKIHIKO YOKOI**

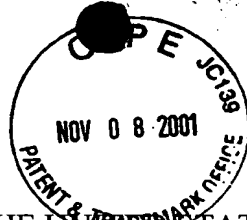
Signature <i>Tokihiro Yokoi</i>	Date <i>18, Sep. 2001</i>
Residence <b>SAGAMIHARA-SHI, JAPAN</b>	Citizenship <b>JAPAN</b>
Post Office Address <b>c/o Intellectual Property Division, TOSHIBA CORPORATION, 1-1, Shibaura 1-chome, Minato-ku, Tokyo, Japan</b>	

☐ Additional joint inventors are named on separately numbered sheets attached hereto.

(OSMMN 7/99)

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#3

IN THE UNITED STATES PATENT & TRADEMARK OFFICE

IN RE REISSUE APPLICATION OF: :  
HIROKI SHOKI ET AL : GROUP ART UNIT:  
PATENT NO: 5,936,577 :  
ISSUED: AUGUST 10, 1999 : EXAMINER:  
FILED: AUGUST 9, 2001  
FOR: ADAPTIVE ANTENNA

CONSENT OF ASSIGNEE

ASSISTANT COMMISSIONER FOR PATENTS  
WASHINGTON, D.C. 20231

SIR:

The sole assignee of said aforementioned Letters Patent No. 5,936,577, KABUSHIKI KAISHA TOSHIBA, a Japanese company, located at 1-1, Shibaura 1-chome, Minato-ku, Tokyo, Japan, in accordance with the requirement of 37 CFR 1.172(a) hereby assents to this reissue application.

I hereby certify that I have the authority to assent to this reissue application, that the Assignment has been recorded in the U.S. Patent and Trademark Office at reel no. 9129, frame(s) 0325, that I have reviewed the Assignment recorded at said reel and frame, and that title is in the above-noted assignee.

I, the undersigned, declare further that all statements made herein of my knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and

the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Date: September 18, 2001



Name Takashi NAKAYAMA

General Manager of Intellectual Property  
Title Division



#3

**REISSUE APPLICATION  
OFFER TO SURRENDER PATENT**

Docket Number

**212235US-2 REISSUE**

This is part of the application for a reissue patent based on the original patent identified below.

Name of Patentee(s)

**HIROKI SHOKI ET AL**

Patent Number

**5,936,577**

Date Patent Issued

**AUGUST 10, 1999**

Title of Invention

**ADAPTIVE ANTENNA**

I am the inventor of the original patent.

I offer to surrender the original patent.

One box  
must be  
checked



Filed herein is a certificate under 37 CFR 3.73(b).



Ownership of the patent is in the inventor(s), and no assignment of the patent has been made.

The written consent of all assignees owning an undivided interest in the original patent is included in this application for reissue.

Signature

Date

September 18, 2001

Typed or printed name of person signing for assignee

**Takashi NAKAYAMA, General Manager of Intellectual Property Division**

The assignee owning an undivided interest in said original patent is: **KABUSHIKI KAISHA TOSHIBA**  
and the assignee consents to the accompanying application for reissue.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine and imprisonment, or both, under 18 U.S.C. 1001, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this declaration is directed.

Name of assignee

**KABUSHIKI KAISHA TOSHIBA**

Signature of person signing for assignee

Date

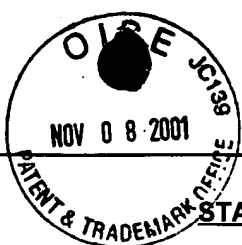
September 18, 2001

Typed or printed name of person signing for assignee

**Takashi NAKAYAMA, General Manager of Intellectual Property Division**

(OSMMN 10/98)

I:\atty\EHK\Reissue\212235US\212235US.OFFER TO SURRENDER.wpd



STATEMENT UNDER 37 CFR 3.73(b)

Applicant/Patent Owner: HIROKI SHOKI ET AL

Application No./Patent No.: 5,936,577

Filed/Issue Date: AUGUST 10, 1999

Entitled: ADAPTIVE ANTENNA

KABUSHIKI KAISHA TOSHIBA

(Name of Assignee)

, a Corporation

(Type of Assignee, e.g., corporation, partnership, government agency, etc.)

States that it is:

1. ☒ the assignee of the entire right, title, and interest; or
2. ☐ an assignee of less than the entire right, title and interest.  
The extent (by, percentage) of its ownership interest is \_\_\_\_\_ %

in the patent application/patent identified above by virtue of either:

- A. ☒ An assignment from the inventor(s) of the patent application/patent identified above. The assignment was recorded in the United States Patent and Trademark Office at Reel 9129, Frame 0325, or for which a copy thereof is attached.

OR

- B. ☐ A chain of title from the inventor(s), of the patent application/patent identified above, to the current assignee as shown below:

1. From: \_\_\_\_\_ To: \_\_\_\_\_

The document was recorded in the United States Patent and Trademark Office at

Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.

2. From: \_\_\_\_\_ To: \_\_\_\_\_

The document was recorded in the United States Patent and Trademark Office at

Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.

3. From: \_\_\_\_\_ To: \_\_\_\_\_

The document was recorded in the United States Patent and Trademark Office at

Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.

- ☐ Additional documents in the chain of title are listed on a supplemental sheet.
- ☐ Copies of assignments or other documents in the chain of title are attached.
- [NOTE: A separate copy (i.e., the original assignment document or a true copy of the original document) must be submitted to Assignment Division in accordance with 37 CFR Part 3, if the assignment is to be recorded in the records of the USPTO. See MPEP 302.08]

The undersigned (whose title is supplied below) is authorized to act on behalf of the assignee.

September 18, 2001

Date

Takashi NAKAYAMA

Typed or printed name

Takashi NAKAYAMA

Signature

General Manager of Intellectual Property  
Division

Title